

TOWN OF HARPSWELL  
COMMUNICATIONS ADVISORY COMMITTEE  
Meeting of October 1, 2008  
Draft Minutes

Committee Members Present: Alan M. Shaver  
C.V. Noyes  
David I. Chipman

Town Staff Present: Kristi Eiane, Town Administrator  
Melissa Swanson, Recording Secretary

Guest: Jay Somers, Sr. Manager of Government & Community  
Relations, Comcast Cable

The meeting opened at 3:10 PM at the Harpswell Town Office, 263 Mountain Road, Harpswell, Maine.

The Town of Harpswell has been in the process of negotiating a renewal of it's Franchise Agreement with Comcast. Mr. Somers was present in order to continue negotiations.

1. There was discussion regarding the written response from Mr. Somers to a letter from the Harpswell Town Administrator dated August 26, 2008 regarding Comcast's "Triple Play". Discussion included the definitions of "cable service" and "cable system" as referenced in §30.1 of the Franchise Agreement with Comcast. Mr. Somers offered to get a legal opinion on the matter.
2. There was discussion of the temporary disconnection of service for seasonal subscribers. Mr. Somers stated that Comcast sends out a technician to turn the service back on in order to confirm that the signal is OK. The alternative of DirectTV was discussed; a decoder can be turned on and off for a nominal fee. Mr. Somers said he would see if Comcast had something to offer in the way of seasonal disconnect.
3. Comcast's extension policy was discussed. The current Agreement is written for 18 homes/mile; the Town would like to ask for 16 homes/mile. Mr. Somers said they could work with the Town regarding that issue, but the areas would need to be identified by the Town. Mr. Somers said he could get us an updated map of cable plates or lines prior to the next meeting.
4. Harpswell Community Broadcasting Corporation ("HCBC") would like to be able to upload data and real time moving video to it's website. In order to do that, HCBC would need a larger server or to rent space on a server. Outgoing bandwidth is also slow; wider bandwidth should be made available. Mr. Somers said he would ask if the dedicated fiber optic cable from HCBC to Comcast's head in Bath (or Brunswick) would be enough.
5. It was also stated that the three area fire departments and the three area libraries would need modulators for outgoing signals. HCBC would like to use some of those returns. It was explained that the fire departments could have interactive training, the schools could communicate with each other and HCBC could have a live feed (from those locations). Mr. Somers asked for a proposal; Mr. Chipman volunteered to draft a proposal.

6. Fees were discussed, and Mr. Somers said that business services could come from the franchise fee, i.e. a technology fund and a general fund. There could be a 5% franchise fee, then the Town would buy business services, and the cost would be amortized over the life of the agreement.
7. The issue of a capital grant was discussed for the cable access station. Mr. Somers said the cost would be passed on to the subscriber, and he would come up with some financials.
8. The duration of a new agreement was discussed. The Town would ask for a five year agreement instead of the previous ten year due to the rapid advancement of new telecommunications technology. The Committee agreed that, if the Town signed a ten year agreement with Comcast, the service related language would have to be better. The Town also wanted access to updated/advanced technology. Mr. Somers said that Comcast would prefer a ten year license, and that a five year agreement would be plain and the increased cost would be passed on to the subscribers. The Town said a ten year agreement would be acceptable if Comcast included a technology guarantee.
9. It was decided to extend the current Franchise Agreement for three months at a time, while negotiations continued. Mr. Somers agreed to e-mail Ms. Eiane a copy of Comcast's standard extension agreement before October 16, 2008.
10. Mr. Somers said he would like to have a copy of the compiled responses from the Town Bulletin request that was circulated to the community in August. He said he would find out if those responses, in lieu of a public hearing, would be legally acceptable. He said he would also find out if the Town needed to have a public hearing before the renewal agreement was signed by the Board of Selectmen. The Recording Secretary said she would provide those responses to Mr. Somers.

The meeting adjourned at 4:20 PM.

The next meeting will be Wednesday, November 12, 2008 at the Harpswell Town Office, with a Comcast representative (Mr. Somers) in attendance for further Franchise Agreement negotiations.

Respectfully submitted,

Melissa Swanson  
Recording Secretary